FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1149 OF 2003

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.D.R.More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 20/1/2006.

P.C.

1. This appeal is filed by the State impugning a judgment and order passed by the Addl. Sessions Judge, Gadhinglaj on 18.6.2003 acquitting the accused for offence punishable under Section 66(1)(b) of the Bombay Prohibition Act,1949. On perusal of the appellate judgment and order it appears that the same has been passed on cogent and acceptable reasons. It was the case of the prosecution that 11-ltrs. illicit liquor was found in front of the house of the accused. The appellate court observed that though

the raid was conducted on 13.6.1999, police officers have made serious blunder and stated that the raid was effected on 16.6.1999. Panch witness P.W. No.2 was examined to prove the seizure of illicit liquor and was found to be professional panch. The said panch has also admitted that he was doing the work of police staff at Kowad Out Post. Apart from this, the sample of illicit liquor was kept in the police station for 2.1/2 months. There was no genuine explanation in this regard. In the circumstances, leave refused and consequently, the appeal stands dismissed.

(R. S. MOHITE, J.)